

CSD 1162 [08/22/03]

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**UNITED STATES BANKRUPTCY COURT**

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

Eugene Cobb and Jacqueline Cleon Cobb

BANKRUPTCY NO. 09-00170-LA7

Debtor.

JPMorgan Chase Bank, National Association, successor in interest to
Washington Mutual Bank, FA, its assignees and/or successors

RS NO. MBL-2

Moving Party

Eugene Cobb and Jacqueline Cleon Cobb, Debtors; and James L.
Kennedy, Chapter 7 Trustee; Washington Mutual Mortgage, Senior Lien;
San Diego County Tax Collector, Tax Lien; and Brittney Towers, HOA
Lien

CHAPTER NO. 7

Respondent(s)

ORDER ON NONCONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY☒ **REAL PROPERTY** ☐ **PERSONAL PROPERTY**

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 3 with exhibits, if any, for a total of 3 pages, is granted. Motion/Application Docket Entry No. 35.

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June 18, 2009

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DATED:

Louisa Delaunay Adler
 Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under
 Fed. R. of Bankr. P. 9011 that the relief in the order is the
 relief granted by the court.

Submitted by:

McCarthy & Holthus, LLP

(Firm Name)

By: /s/ Matthew B. Learned

Attorney for ☒ Movant ☐ Respondent

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ORDER ON NON CONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY ON REAL OR PERSONAL PROPERTY

DEBTOR: Eugene Cobb and Jacqueline Cleon Cobb

CASE NO.: 09-00170-LA7

RS NO.: MBL-2

The Motion of JPMorgan Chase Bank, National Association, successor in interest to Washington Mutual Bank, FA, its assignees and/or successors ("Movant"), for relief from the automatic stay having been filed with the above-entitled court on 05/28/2009.

The Notice of Filing of a Motion for Relief from Automatic Stay (a file-stamped copy of which is attached hereto as Exhibit A OR Notice Docket Entry No. 37, if filed electronically), the Motion, and accompanying Declarations having been served upon the parties named below on 05/28/2009.

☒ Debtor (Name): Eugene Cobb and Jacqueline Cleon Cobb

☒ Debtor's Attorney (Name): Thomas M. Lockhart

☒ Trustee (Name): James L. Kennedy

☒ United States Trustee (in Chapter 11 & 12 cases), and

☒ Others, if any (Name): Washington Mutual Mortgage (Senior Lien Holder); San Diego County Tax Collector (Tax Lien Holder); Brittney Towers (HOA Lien Holder); and Carl H. Starrett, II, Cabrillo Commerce Ctr., LLC, Recovery Management Systems Corporation, and Dennis D. Burns (Special Notice)

No objection or Request for Hearing having been filed by or on behalf of the Debtor, IT IS HEREBY ORDERED as follows:

The automatic stay pursuant to 11 U.S.C. Section 362 is hereby terminated for all purposes as to Movant in connection with the estate's and the debtor's interest in

1. ☒ The following real property:

a. Street address of the Property including county and state:

230 West Laurel Street, Unit 904

San Diego, CA 92101

b. Legal description is ☒ attached as Exhibit A or ☐ described below:

2. ☐ The following personal property as described ☐ below or ☐ in Exhibit B attached:

IT IS FURTHER ORDERED that (Optional): **The ten-day stay described in Bankruptcy Rule 4001(a)(3) is waived.**

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ORDER ON NON CONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY ON REAL OR PERSONAL PROPERTY

DEBTOR: Eugene Cobb and Jacqueline Cleon Cobb

CASE NO.: 09-00170-LA7

RS NO.: MBL-2

EXHIBIT A

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED 1/52 INTEREST IN AND TO LOTS B, C, D, E, F, G AND H, INCLUSIVE OF BLOCK 289 OF HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY L. L. LOCKLING ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

EXCEPTING THEREFROM EACH AND ALL OF THE UNITS AS SHOWN AND DEFINED UPON THE CONDOMINIUM PLAN RECORDED MARCH 25, 1982 AS FILE NO. 82-080813 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AND AMENDED BY DOCUMENT RECORDED MAY 3, 1983 AS FILE NO. 83-144051, BOTH OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE EXCLUSIVE RIGHT TO USE ALL BALCONIES, STORAGE AREAS, AND PARKING STALLS AS SHOWN ON SAID CONDOMINIUM PLAN.

PARCEL 2:

UNIT 44 AS SHOWN AND DEFINED UPON THE CONDOMINIUM PLAN DESCRIBED IN PARCEL 1 ABOVE.

PARCEL 3:

THE EXCLUSIVE RIGHT TO USE THE CORRESPONDINGLY NUMBERED BALCONY OR BALCONIES WHICH ARE APPURTENANT TO PARCEL 2 AS SHOWN UPON THE CONDOMINIUM PLAN DESCRIBED IN PARCEL 1 ABOVE.

PARCEL 4:

THE EXCLUSIVE RIGHT TO USE, FOR PARKING PURPOSES, AND FOR STORAGE PURPOSES, RESPECTIVELY, THE FOLLOWING EXCLUSIVE USE AREA(S) OF LOTS B, C, D, E, F, G AND H INCLUSIVE, OF SAID BLOCK 289 AS SHOWN UPON THE CONDOMINIUM PLAN DESCRIBED IN PARCEL 1 ABOVE, P-44A AND 44B AND S-44.